

CERTIFICATE OF MAILING

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Drew R. Herndon

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PATENT

Attorney Docket No. 22488-756

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventor(s): Jian-yun Dong)	
)	Art Unit: Unknown
Application No.: 10/663,360)	
)	Examiner: Unknown
Filed: September 15, 2003)	
)	
Title: METHOD FOR TESTING DRUG)	
SUSCEPTIBILITY OF HIV)	
)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)
-- OR --
- (2) It is being filed within 3 months of entry of a national stage
-- OR --
- (3) It is being filed before the mail date of the first Office Action on the merits
-- OR --
- (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- a certification as specified in §1.97(e) is provided below; **or**
- a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.

Fee Authorization. The Commissioner is hereby authorized to charge the above-referenced fees of \$0.00 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No.22488-756).

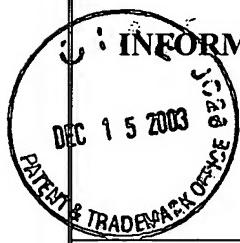
Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: Dec. 9, 2003

By: 
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INFORMATION DISCLOSURE CITATION PTO-1449	ATTY. DOCKET NO.	SERIAL NO.
	22488-756	10/663,360
	APPLICANT Dong	
FILING DATE 9/15/03	GROUP Unknown	

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	5,837,464	11/17/98	Capon et al.	C12Q	1/68	1/29/97
	6,406,911	6/18/02	Dong	C12N	15/63	5/18/99
	6,410,013	6/25/02	Dong	A01N	63/00	4/26/00
	2002/0168345	11/14/02	Dong	C12Q	1/70	3/29/02
	2003/0064054	4/3/03	Dong	C12Q	1/68	9/13/02

FOREIGN PATENT DOCUMENTS

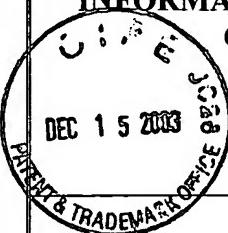
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	WO 93/05185	3/18/93	PCT	C12Q	1/70	<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/43515	1/27/00	PCT	C12Q	1/70	<input type="checkbox"/>	<input type="checkbox"/>
	2 244 712 A	11/12/91	United Kingdom	C12N	15/79	<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Alberts, Bruce et al., Eds., 3 rd Ed. Garland Publishing, Inc., New York & London, "Molecular Biology of the Cell", pp. 160-162 (1994).
	Berger, Edward A., "HIV Entry and Tropism – When One Receptor Is Not Enough", <i>MECHANISMS OF LYMPHOCYTE ACTIVATION AND IMMUNE REGULATION VII</i> , Plenum Press, (1998), pp. 151-157.
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	Deng, Hong Kui et al., "Identification of a major co-receptor for primary isolates of HIV-1", <i>NATURE</i> , Vol. 381, (1996), pp. 661-666.
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	Dorsky, D.I. et al., "Detection of HIV-1 Infection With a Green Fluorescent Protein Reporter System", <i>JOURNAL OF IMMUNE DEFICIENCY SYNDROMES</i> , Vol. 13, No. 4, 1996.

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION  PTO-1449	ATTY. DOCKET NO.	SERIAL NO.
	22488-756	10/663,360
	APPLICANT Dong	
	FILING DATE 9/15/03	GROUP Unknown

U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE

FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
						<input type="checkbox"/>	<input type="checkbox"/>

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Gervaix, A. et al., "A New Reporter Cell Line To Monitor HIV Infection and Drug Susceptibility <i>In Vitro</i> ", <i>PROC. NATL. ACAD. SCI USA</i> , Vol. 94, pp. 4653-4658, April 1997.
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EXAMINER	DATE CONSIDERED

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